

REMARKS

Reconsideration of the application is respectfully requested. Applicant has attempted to address every ground for rejection in the Office Action dated March 5, 2003, and believes that the claims as amended are in allowable form.

Claims 1-4 were rejected under 35 U.S.C. 103(a) as being unpatentable over Hoyle's Modern Encyclopedia of Card Games. Independent claim 1 has been amended and applicant respectfully submits that claim 1, in view of the amendments and the following remarks, is in condition for allowance. Further, claims 2-4 depend from and contain all the limitations of claim 1, therefore, applicant respectfully submits that claims 2-4 are in condition for allowance.

Hoyle, at pages 338-39, discusses the game of Klondike or "traditional solitaire". In traditional solitaire the player alternates red and black suits in the intermediate area of play, which is sometimes called the Tableau or the Field. The alternation of red and black suits controls card combinations in that area, so that odd-numbered cards in a group of the suits (hearts and diamonds, for example) alternate with even-numbered cards in the other group of suits (spades and clubs, for example). Furthermore, during game play, many of the cards are not visible to the player. If a card is not visible the player does not know what suit or what number the card consists of. As such, a player relies significantly on his or her luck or guesswork to win the game.

The present invention, on the other hand, requires that a player play the game based on skill rather than luck or guesswork. The present invention provides for the visibility of all the game pieces and their corresponding elements throughout game play. Amended claim 1 provides that the game pieces and their indicia are visible during game play. Further, the third indicia described in the application are required, in one or more embodiments, to make it

practical for the player to see all the possible combinations for the pieces. The third indicia, specialized for solitaire play, help the player to see the possible combinations more easily than the red and black markings on the cards used in traditional solitaire. Unlike the red and black indicia of traditional playing cards, these novel indicia are not associated with one suit or another. Instead, they are interleaved between the groups matched according to their first indicia on alternating odd - and even-numbered game elements. When the player matches these indicia in the Field area, game element combinations are controlled similarly as in traditional solitaire, but with better visibility. Therefore, applicant respectfully submits that amended claim 1 is not unpatentable over Hoyle because Hoyle does not teach that all of the game pieces are visible during game play and because Hoyle does not teach that the third indicia interleaves within each group ordered by the first indicia. In view of the above remarks applicant respectfully requests allowance of amended claim 1 and dependent claims 2-4.

Claims 1-4 were also rejected under 35 U.S.C. 103(a) as being unpatentable over Hoyle's Modern Encyclopedia of Card Games in view of Chernowski, Jr.

As discussed above, Hoyle the primary reference does not teach that all of the game pieces and their indicia are visible during game play and does not teach the third indicia on the game pieces as discussed in the present application and amended claims. In view of the above remarks, applicant respectfully requests allowance of amended claim 1 and dependent claims 2-4.

With regard to the art made of record by the Examiner in the Office Action dated March 5, 2003 but not relied upon, the art has been reviewed and is believed not to anticipate or render obvious any claims in the application.

Applicant respectfully submits that the present application, in light of the amendments and the remarks, is in a condition for allowance, and such action is earnestly solicited. Should

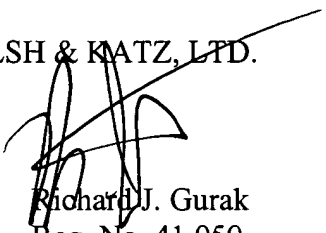
the Examiner determine that there are outstanding issues which may be readily resolved through a telephone interview, the Examiner is invited to contact applicant's undersigned attorney at the telephone number listed below.

Attached hereto is a marked-up version of the changes made to the claims by the present amendment. The attached page is entitled "Claims with Markings to Show Changes."

Respectfully submitted,

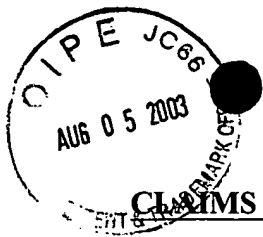
WELSH & KATZ, LTD.

By



Richard J. Gurak
Reg. No. 41,050

5 August 2003
WELSH & KATZ, LTD.
120 South Riverside Plaza, 22nd Floor
Chicago, IL 60606
Phone: (312) 655-1500
Fax: (312) 655-1501



CLAIMS WITH MARKINGS TO SHOW CHANGES

1. A method of playing a solitaire game comprising:

providing a set of game pieces, wherein the game pieces have first means for grouping the game pieces into at least four groups, and wherein the game pieces have second means for ordering the game pieces in each group, and wherein the game pieces have third means for ~~grouping the game pieces into two other independent and interleaving groups;~~ capable of grouping the game pieces into two separate groups, whereby said third means is interleaved within each group ordered by the first indicia;

providing a game board having a home area, a field area, a reserve area, and a stock area that each have a plurality of locations for placement of game pieces, wherein the field area and the reserve area intersect for transfer of game pieces from the reserve area to the field area;

distributing the game pieces into the reserve area, the field area, and the stock area so that each of the plurality of locations for placement of game pieces in the reserve area are occupied with game pieces and wherein the first means for grouping, second means for ordering and third means for grouping are all visible;

moving the game pieces from the stock area and the reserve area to and within the field area wherein the game pieces are placed in the field area in groups pursuant to the third means for grouping and wherein the game pieces are placed in the field area so that the game pieces are ordered pursuant to the second means for ordering; and

moving the game pieces from the field area and the stock area to the home area wherein the game pieces are placed in the home area in groups pursuant to the first means for grouping

and wherein the game pieces are placed in the home area so that the game pieces are ordered pursuant to the second means for ordering.

3. The method of claim 1, wherein the groups of the first means have equal number of game pieces.

4. The method of claim 1, wherein the second means for ordering the game pieces in each group orders the game pieces in each group in an identical manner.

5. The method of claim 1, wherein the groups of the third means have an equal number of game pieces.

6. A solitaire game comprising:
a plurality of game pieces that each have a first means for grouping the game pieces into at least four groups, a second means for ordering the game pieces in each group, and a third means grouping the game pieces into two groups;
at least one strategy piece for use with the plurality of game pieces to indicate whether an individual game piece is needed; and
a game board having a home area, a field area, a reserve area, and a stock area that each have a plurality of locations for placement of game pieces.

7. The solitaire game of claim 5, wherein each of the game pieces in the plurality of game pieces is adapted to receive at least one of the strategy pieces.

8. The solitaire game of claim 6, wherein each of the game pieces in the plurality of game pieces has a plurality of recesses that are each adapted to at least partially receive one strategy piece.

9. The solitaire game of claim 7, wherein the plurality of recesses are oriented on each of the game pieces to indicate the relative need of the individual game pieces.

10. The solitaire game of claim 5, wherein the strategy pieces have means for indicating the relative need of the game piece on which the strategy piece is placed.

11. The solitaire game of claim 9, wherein the strategy pieces are pegs, and wherein the means for indicating relative need of the game piece are at least two colored regions on a surface of the peg.

11. (New) A solitaire game comprising:
a set of game pieces, wherein the game pieces have first means for grouping the game pieces into at least four groups; and wherein the game pieces have second means for ordering the game pieces within each of the at least four groups; and wherein the game pieces have third means capable of grouping the game pieces into two separate groups, wherein said third means is interleaved within each group ordered by the first indicia.

12. (New) The solitaire game of claim 11 further comprising a game board having a home area, a field area, a reserve area, and a stock area that each have a plurality of locations for placement of game pieces.

13. (New) The solitaire game of claim 11 further comprising a means for a set of rules for game play that resolve all possible deadlocks during game play.

14. (New) The solitaire game of claim 13 further comprising a means for subtracting points from the game score to compensate for the use of the rules to resolve deadlock.

15. (New) The solitaire game of claim 11 further comprising a means for a set of rules of game play for two players.

16. (New) The solitaire game of claim 11 further comprising a means for scoring game play that rewards a player incrementally for consecutive final placement of multiple pieces within a single first means for grouping without other intervening moves.

17. (New) The solitaire game of claim 11 further comprising a means for displaying the game pieces on a game board having an array that shows the changing relations among the game pieces.

18. (New) A game comprising:
a set of game pieces, wherein the games pieces have first indicia for grouping the game pieces into two or more sets; and wherein the game pieces have second indicia for ordering the game pieces within the two or more sets; and wherein alternating colors are applied to the second indicia.

19. (New) The solitaire game of claim 18 further comprising a game board having a home area, a field area, a reserve area, and a stock area that each have a plurality of locations for placement of game pieces.

20. (New) A game board comprising:
a home area, a field area, a reserve area, and a stock area that each have a plurality of locations for placement of game pieces, wherein the field area and the reserve area intersect for transfer of game pieces from the reserve area to the field area.